



**BY ECF**

January 31, 2022

Hon. Robert B. Kugler, U.S.D.J.  
Mitchell H. Cohen Bldg. & U.S. Courthouse  
One John F. Gerry Plaza (4<sup>th</sup> & Cooper Streets)  
Camden, New Jersey 08101

Re: Jones v. Zuckerberg, Case No. 1:21-cv-20163-RBK-AMD (D.N.J.)

Dear Judge Kugler:

My Firm represents Defendant Mark Zuckerberg in the above-named case and I write in further support of Mr. Zuckerberg's motion to dismiss Plaintiff's claims under Fed. R. Civ. P. 12(b)(6).

Plaintiff is the victim of a lottery scam in which a fraudster using the name "Kevin Edwards" told Plaintiff that Facebook CEO Mark Zuckerberg had selected her from among all Facebook users for a \$100,000 awarded by "Mr. Edwards's" organization. "Mr. Edwards" extracted \$200 from Plaintiff as a "financial requirement" to claim her supposed winnings, then issued a check that Plaintiff's bank rejected as fake. As discussed in the Initial Brief, this Court should dismiss Plaintiff's claim against Mr. Zuckerberg for the purported \$100,000 prize with prejudice because Plaintiff does not and cannot plausibly allege that (a) Mr. Zuckerberg actually was involved in this alleged lottery; or that (b) "Mr. Edwards" had authority to contract on Mr. Zuckerberg's behalf. (ECF No. 5-1, at 6-10.)

Plaintiff's opposition brief (ECF No. 7) does not address either of these arguments. Plaintiff claims no direct interactions with Mr. Zuckerberg and fails to allege any additional facts plausibly suggesting Mr. Zuckerberg's involvement with the purported lottery or "Mr. Edwards's" authority to enter contracts on Mr. Zuckerberg's behalf.

As set forth in this letter and his Initial Brief, Mr. Zuckerberg respectfully requests that this Court dismiss him from this case with prejudice.

Respectfully submitted,

s/ Mark S. Pincus